

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUL 21 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

FEDERAL TRADE COMMISSION,

Plaintiff - Appellant,

v.

MICROSOFT CORPORATION and  
ACTIVISION BLIZZARD, INC.,

Defendants - Appellees.

No. 23-15992

D.C. No. 3:23-cv-02880-JSC

U.S. District Court for Northern  
California, San Francisco

**AMENDED ORDER**

The court's order (Docket Entry No. 28) is amended as follows:

The Mediation Program of the Ninth Circuit Court of Appeals facilitates settlement while appeals are pending. **See** Fed. R. App. P. 33 and Ninth Circuit Rule 33-1.

By July 28, 2023, counsel for all parties intending to file briefs in this matter are requested to inform Robert S. Kaiser, Circuit Mediator, by email at Robert\_Kaiser@ca9.uscourts.gov, of their clients' views on whether the issues on appeal or the underlying dispute might be amenable to settlement presently or in the foreseeable future. **Counsel are requested to include the Ninth Circuit case name and number in the subject line.** This communication will be kept

confidential, if requested, from the other parties in the case. This communication should not be filed with the court.

For more detailed information about the Mediation Program and its procedures generally, please see the Mediation Program website:

**[www.ca9.uscourts.gov/mediation](http://www.ca9.uscourts.gov/mediation)**.

**The existing briefing schedule remains in effect.**

FOR THE COURT:

bls/mediation

Beatriz L. Smith  
Deputy Clerk